

September 26, 2024

VIA ECF

Hon. Mary Kay Vyskocil
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Joint Letter Motion Regarding Motion Page Limits - *In re Eyewear Antitrust Litigation*, Case No. 1:24-cv-04826-MKV

Dear Judge Vyskocil:

The parties in the above-captioned matter submit this joint letter motion regarding the page limits for briefing on Defendants' motion to dismiss Plaintiffs' Amended Complaints (ECF Nos. 197, 198), which is due on October 2, 2024. *See* ECF No. 166. The parties have met and conferred and respectfully request that the Court grant each side leave to exceed their briefing limits by up to 20 pages per side and set the following page limits:

- Defendants collectively have 90 pages to split between their motion and reply as they see fit; and
- Plaintiffs collectively have 70 pages to use as they see fit.

Good cause exists for the requested page limits:

- Defendants are responding to two Amended Complaints (ECF Nos. 197, 198), which include some overlapping allegations but also have many differences.
- Collectively, the Amended Complaints span 219 pages.
- The Direct Purchaser Plaintiffs assert nine causes of action under federal law, and the Indirect Purchaser Plaintiffs assert three causes of action encompassing 54 different state laws.
- Under the applicable rules, Defendants could file separate 25-page motions to dismiss each Amended Complaint.
- To promote judicial and party efficiency, rather than file duplicative motions to dismiss, the parties agree that all Defendants shall collectively file a single joint motion to dismiss both Amended Complaints.

Dated: September 26, 2024

Respectfully submitted,

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¹ Defendants use electronic signatures with consent in accordance with Rule 8.5(b) of the Court's ECF Rules and Instructions.

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cc: All Counsel of Record (via ECF)